

ENTERED

March 21, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

VS.

DIQUIS MANLY

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CRIM. ACTION NO. 5:23-CR-2-1

ORDER

Pending before the Court is Defendant's Unopposed Motion to Continue Final Pre-trial Hearing. (Dkt. No. 45). The Motion is hereby **GRANTED and the Final Pretrial Conference is RESET to April 5, 2023, at 8:30 a.m. in Courtroom 2C before U.S. Magistrate Judge John A. Kazen.** After considering the factors set forth in 18 U.S.C. § 3161(h)(7)(B) and the reasons given in the Motion, the Court finds that the ends of justice served by granting the continuance requested outweigh the best interests of the public and Defendant in a speedy trial because, based on the grounds asserted in the motion:

1. X The failure to grant such a continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice.
2. This case is so unusual or complex, due to the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established in the Speedy Trial Act.
3. The delay in filing the indictment in this case was because Defendant's arrest occurred at a time such that it was unreasonable to expect return and filing of the indictment within the period specified in 18 U.S.C. § 3161(b), or because the facts upon which the grand jury must base its determination are unusual or complex.

4. X Though this case is not so unusual or complex as to make adequate preparation within the time limits of the Speedy Trial Act unreasonable, the failure to grant the continuance would:
- a. Deny Defendant reasonable time to obtain counsel
 - b. Unreasonably deny [Defendant/the Government] continuity of counsel
 - c. X Deny Defendant's attorney the reasonable time necessary for effective preparation, taking into account the exercise of due diligence articulated in the Motion.

It is so **ORDERED**.

SIGNED this 21st day of March, 2023.



John A. Kazen
United States Magistrate Judge